

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
City of Detroit, Michigan,
Debtor.

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

Order of Certification Pursuant to 28 U.S.C. § 2403(a)

Pursuant to 28 U.S.C. § 2403(a), the Court hereby certifies to the Attorney General of the United States that the constitutionality of Chapter 9 of Title 11 of the United States Code is drawn into question in this case. Specifically, certain objectors assert that Chapter 9 is unconstitutional if it allows the discharge or impairment of their claims for just compensation arising under the Fifth and Fourteenth Amendments to the United States Constitution. (Dkt. ##3412, 5671) Certain other objectors assert that Chapter 9 is unconstitutional if it allows the discharge or impairment of their claims arising under 42 U.S.C. § 1983. (Dkt. ##4099, 4224, 5690, 5693) The City has responded to these arguments. (Dkt. ##5034, 5707)

The Court permits the United States to intervene for argument on the question of the constitutionality of Chapter 9 of the Bankruptcy Code as it is applied to these claims and shall, subject to the applicable provisions of law, have all the rights of a party. The Court requests that the Attorney General file a brief addressing these issues by August 13, 2014.

The clerk shall serve this certification upon the Attorney General and the United States Attorney for the Eastern District of Michigan by certified mail.

It is so ordered.

Signed on July 11, 2014

/s/ Steven Rhodes
Steven Rhodes
United States Bankruptcy Judge